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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Raghav Mohindra,

10 Plaintiff,

11 v.

12 Haresh Boghara, et al.,

13 Defendants.
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No. CV-25-02050-PHX-SHD

ORDER

15 Pending before the Court is Plaintiff Raghav Mohindra and Defendant Haresh
16 Boghara's Joint Discovery Statement. (Doc. 42.)

17 On July 8, 2025, Dr. Boghara was ordered to respond to Dr. Mohindra's
18 interrogatory and requests for production related to the Optima Sales Proceeds' location
19 during the approximately five-month period in which Dr. Mohindra alleges Dr. Boghara
20 made fraudulent transfers. (Doc. 27 at 3–4.) Dr. Boghara refused to produce documents
21 in response to RFP Nos. 2–4 because the requests “seek[] discovery against [non-party
22 Epic AZ]” and because Epic AZ filed for bankruptcy, “the automatic stay imposed by” 11
23 U.S.C. § 362(a) “stays any and all discovery requests targeted at Epic AZ.” (Doc. 42-1 at
24 3–4.) Dr. Mohindra argues that 11 U.S.C. § 362(a) does not “prohibit[] discovery to a non-
25 debtor party simply because he is associated with the debtor.” (Doc. 42 at 2.)

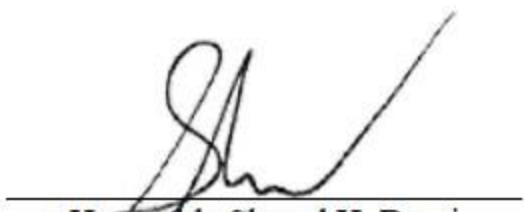
26 The automatic stay “does not preclude generation of information regarding claims
27 by or against a non-debtor party, even where that information could eventually adversely
28 affect the [d]ebtor.” *In re Miller*, 262 B.R. 499, 505 (B.A.P. 9th Cir. 2001). Likewise, the

1 automatic stay does not prohibit a party from obtaining discovery from a debtor to
2 prosecute the party's claims against a non-party. *Id.* (holding that the appellant's issuance
3 of a subpoena to the party debtor to obtain information in connection with prosecuting her
4 claims against a non-debtor party did not violate the automatic stay because a subpoena
5 was not "issuance or employment of process" or a "judicial proceeding" against the debtor
6 under §362(a), and noting that to hold otherwise would "def[y] common sense and the
7 spirit of the [Bankruptcy] Code").

8 Accordingly,

9 **IT IS ORDERED** that Dr. Boghara must respond to Dr. Mohindra's requests for
10 production Nos. 2–4, (Doc. 42-1 at 4–5), no later than **5:00 PM MST on Thursday, July**
11 **31, 2025.**

12 Dated this 29th day of July, 2025.

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Honorable Sharad H. Desai
United States District Judge